IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

FRIDAY, THE 19TH OCTOBER 2007 / 27TH ASWINA 1929

WA.No. 2450 of 2007

AGAINST THE JUDGEMENT/ORDER IN WPC.31018/2005 Dated 07/11/2005

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APPELLANT: RESPONDENTS IN WP(C);

1. STATE OF KERALA,
REP. BY THE SECRETARY TO GOVERNMENT,
HOME DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. DIRECTOR GENERAL OF POLICE (DGP),
KERALA, THIRUVANANTHAPURAM.

3. THE SUPERINTENDENT OF POLICE, PALAKKAD/
THRISSUR, KASARGOD RURAL SP, KOZHIKODE.

4. THE COMMANDANT/DEPUTY COMMANDANT,
KAP-II BATTALION, MUTTIKULANGARA, PALAKKAD.

5. THE SUPERINTENDENT OF POLICE,
SPECIAL BRANCH C.I.D., KASARGOD DISTRICT,
SPECIAL BRANCH, PALAKKAD A.R.CAMP, PALAKKAD,
MSP MALAPPURAM, CBCID, PALAKKAD.

6. THE ACCOUNTANT GENERAL (KERALA),
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.BENNY GERVACIS

RESPONDENTS: PETITIONERS IN WP(C);

1. V.PRABHAKARAN, RETD. SUB INSPECTOR, P.C.1293,
SBC ID, KASARGOD, RESIDING AT SREEMANIKKAM
VADAKKUMURI, P.O.KANNADI, PALAKKAD.

2. S. SHANMUGHA, RETD.DVR SI, P.C.1223, KAP II
BN.,MUTTIKULANGARA, PALAKKAD, RESIDING AT 31/53,
SUBRAMANIYAPURAM, PATTIKKARA, PALAKKAD.

3. M.P. VASUDEVAN, RETD.SI, PC.805, DISTRICT SPECIAL BRANCH, PALAKKAD, RESIDING AT MAROLI HOUSE, P.O. PULASSERI PATTAMBI, KOPPAM.

4. K.A. SULAIMAN,RETD.SI, PC.699, DCRB, PALAKKAD, RESIDING AT SALIM MANZIL, VIDYUTHI NAGAR COLONY,PARAKKUNNU, PALAKKAD.

5. M.M. JOHN, RETD.SUB INSPECTOR, PC 409, DCRB, PALAKKAD, RESIDING AT BINOJI COTTAGE, PUDIPPADI STREET, NURANI P.O., PALAKKAD.

6. M. ANANDHAN,RETD.SUB INSPECTOR, PC 1023, SPECIAL BRANCH, PALAKKAD, RESIDING AT THAMARACHIRA KALAM, CHATTIER P.O., PALAKKAD.

7. A.RAMACHANDRAN, RETD.SUB INSPECTOR, PC 1187, KASABA POLICE STATION PALAKKAD, RESIDING AT CHANDRAS, MARUTI NAGAR, KALLEPPULLY, PALAKKAD.

8. P. KESAVAN NAIR, RETD.RSI MSD 1101, AR, PALAKKAD, RESIDING AT LAKSHMI NIVAS, P.O. KOLLEPPULLY, PALAKKAD DISTRICT

9. U. KHALID, RETD.SI, DISTRICT SPECIAL BRANCH, PALAKKAD, RESIDING AT H.NO.44/304, PATTANI STREET,PALAKKAD.

10. P. RAVINDRANATHAN,RETD.SI, PC 1661, MANKARA POLICE STATION, RESIDING AT SREE PADAM, THEKKEKKARA P.O.,KAVASSERY, VIA. ALATHUR, PALAKKAD DISTRICT.

11. NEELAKANTAN K.M., RETD.SUB INSPECTOR, PC 1251, PATTAMBI POLICE STATION, RESIDING AT KANHUR MANA, P.O. KODUMANDA, PATTAMBI, PALAKKAD.

12. K.V. KOPPUNNI, RETD.ASI, PATTAMBI POLICE STATION, PALAKKAD, RESIDING AT RATHIKA NIVAS, KOORATHUPARAMBIL HOUSE, P.O. KAILIYAD, SHORNUR-2, PALAKKAD.

13. N. BALAKRISHNAN, RETD.ASI PC 1797, CHERPLACHERRY POLICE STATION, PALAKKAD, RESIDING AT PAVANA MANJERIKAVU, P.O. KONOGAD, PALAKKAD.

14. R. NBAYANDI,
RETD.ASI, PC 1508, MSP, MALAPPURAM, RESIDING AT VAKKAD HOUSE, THOOPPALLAM, MALAMPUZHA P.O., PALAKKAD.

15. K. VELAYUDHAN,
RETD.ASI, PC 1854, KASABA POLICE STATION, PALAKKAD, RESIDING AT SASTHA NIVAS, VIII/33, PERANDAKKAD, KANNADI, PALAKKAD P.O.

16. C. RAMAKRISHNAN,
RETD.ASI PC NOP 1953, CRIME BRANCH UNIT,PALAKKAD, RESIDING AT VAZHANCHERRY HOUSE, THEKKONI,KOTTEKKAD PALAKKAD.

17. M. CHELLAPPAN,
RETD.ASI, PC 2135, CHERPLACHERRY POLICE STATION, RESIDING AT PATHIYIL HOUSE, P.O. VATTEKKAD, KOLLAMKODE, PALAKKAD.

18. C. GOPALAKRISHNAN,
RETD.SI, PC (P) 1213, MANKARA POLICE STATION, PALAKKAD, RESIDING AT SOWMIA NIVAS, PAYA ROAD, MUDAPPALLUR P.O., ALATHUR, PALAKKAD.

19. M.K. MADHUSOODHANAN,
RETD.ASI, PC 1723, AGALI POLICE STATION,PALAKKAD, RESIDING AT USHUS, NEAR ST.PAULS SCHOOL,PATTAMBI.

20. M. NARAYANANNAIR,
RTD. ASI, PC 1246, CHERUTHURUTHY POLICE STATION, THRISSUR DISTRICT, RESIDING AT KARTHIKA, P.O. NELLIKKATTIRI, KOOTTANADU, PALAKKAD DISTRICT.

21. P. SWAMINATHAN,
RTD. HEAD CONSTABLE, MSP M 3989, CBCID,PALAKKAD, RESIDING AT MANIYANKAD HOUSE, C.N.PURAM P.O., PALAKKAD.

22. K. ARUMUGHAN,
RTD. HEAD CONSTABLE 2216, PARAMBIKULAM POLICE STATION, RESIDING AT PUTHENPURAKKAL HOUSE, CHINGATTUKOLUMBA CHENTHAMARA NAGAR,THATHAMANGALAM.

23. M. RAMANKUTTY,
RTD. HEAD CONSTABLE, THOTTILPALAM POLICE STATION, KOZHIKODE RURAL DISTRICT, RESIDING AT PANNIYAMKAD HOUSE, P.O. SREEKRISHNAPURAM, PALAKKAD.

24. A.K. EACHUNNI NAMBIAR,
RTD. HEAD CONSTABLE 791, SPECIAL BRANCH CID,
PALAKAKD UNIT, RESIDING AT KKURUVATHODY HOUSE,
MUTHUTHALA P.O., PATTAMBI VIA., PALAKKAD.

25. V. KUMARAN, RTD. HEAD CONSTABLE 1891,
MANGALAM DAM POLICE STATION, PALAKKAD,RESIDING AT
KERALA PARAMBU HOUSE P.O. ALATHUR, PALAKKAD.

26. M. JESUDAS,
RTD. HEAD CONSTABLE (P2 644), AGALI POLICE STATION
PALAKKAD, RESIDING AT PALLIKODATHANOOR HOUSE,
PALANIYAR PALAYAM P.O., KOZHINJAMPARA, PALAKKAD.

27. C. BALASUBRAMANIYAN,
RTD. HEAD CONSTABLE, PC 2268, AR PALAKKAD,
RESIDING AT POTTAKKAL HOUSE, KARINGAMTHODI P.O.,
KOYALMANNAM, PALAKKAD.

28. K. CHAMI, RTD. HEAD CONSTABLE 2594,
VADAKKENCHERRY POLICE STATION, PALAKKAD, RESIDING AT
THEKKUMURI HOUSE, KOZHALMANNAM P.O., PALAKKAD.

29. P.K. VELAMURUGHAN,
RTD. HEAD CONSTABLE 905, TOWN TRAFFIC UNIT,
PALAKKAD, RESIDING AT SASI NIVAS,THEKKEPARAMBU,
P.O. PUTHUPPARIYARAM, PALAKKAD.

30. T. SOMASUNDARAN,
RTD. HEAD CONSTABLE, P 1320, DCRB, PALAKKAD,
RESIDING AT CHITHIRA BHAVAN, POLICE HOUSING COLONY
P.O. KANNADI, PALAKKAD.

31. F.M. NAUSHAD,
RTD. HEAD CONSTABLE 1888, KASABA POLICE STATION,
RESIDING AT SHA MANZIL, POOCHIRA, PUDUPERIYARAM,
OLAVAKKODE, PALAKKAD.

32. V.V. UNNIKRISHNAN,
RTD. HEAD CONSTABLE P 1982,PATTAMBI POLICE STATION
PALAKKAD, RESIDING AT VALLAKARAPURATH VENGALI,
P.O. THALASSERI, THRITHALA, PALAKKAD.

33. ACHUTHANKUTTY P.V.,
RETD. HEAD CONSTABLE P 1955,SHORNUR POLICE STATION
PALAKKAD, RESIDING AT VINOD VIHAR, P.O. PARUTHUR,
VIA. PALLIPPURAM, PALAKKAD-679 312.

34. P.A. AKBAR BHASHA,
RETD. POLICE CONSTABLE 2462, OTTAPPALAM POLICE STATION, PALAKKAD, RESIDING AT ATHIKKAL HOUSE, P.O. MANNAR, PATHIRIPPALA, PALAKKAD DISTRICT.

35. T.C. AYYAPPAN,
RETD. POLICE CONSTABLE PC 6242, HEMAMBIKA NAGAR POLICE STATION, PALAKKAD, RESIDING AT VAISHNAVAM, THANAV, P.O. OLAVAKKODE, PALAKKAD.

36. C. JANARDHANAN,
RETD. POLICE CONSTABLE 1730, PUDUNAGARAM POLICE STATION, RESIDING AT THUPPALAKAM, PERUVEMBA P.O., PALAKKAD.

37. Y. KRISHNAKUMARA, RETD. POLICE STATION, CONSTABLE 2652, HEMAMBIKA NAGAR POLICE STATION, PALAKKAD, RESIDING AT H.NO.2/302, G.R.PURAM, AMBAIKAPURAM P.O., PALAKKAD.

38. S. RAJAGOPALAN,
RETD. ASI, PC.NO.1912, CHATTIER POLICE STATION, PALAKKAD, RESIDING AT POOLAKKAD HOUSE,VILAYAM P.O. VILAYANCHATHANUR, PALAKKAD DISTRICT.

39. C. SREEDHARAN UNNI,
RETD. RESERVE INSPECTOR, MSP 1391, PALAKKAD ARMED RESERVE, RESIDING AT SREYAS, PULLODE P.O., VIA. PUTHIANKAM, PALAKKAD.

40. VIJAYAN K.,
RETD. S.I., DISTRICT SPECIAL BRANCH, PALAKKAD, RESIDING AT PALLLIKANDATH HOUSE, EAST VENNAKKARA, NURANI P.O., PALAKKAD.

41. M. SUKUMARAN,
RETD. ASI PC 1977, CIRCLE INSPECTOR OFFICE, MANNARKKAD, PALAKKAD, RESIDING AT SUJA NIVAS, PUZHAKKAL, KANNADI P.O., PALAKKAD.

42. P. BALASUBRAMANIYAN,
RETD. POLICE CONSTABLE PC NO.1704, SB CID, PALAKKAD, RESIDING AT 35/318, KRISHNAKRIPA, ULLAS NAGAR, KAVILPAD P.O., OLAVAKKODE, PALAKKAD.

43. P. MOHAN,RETD. SUB INSPECTOR, KODAKARA POLICE STATION, THRISSUR DISTRICT, RESIDING AT PADINJAKKARA HOUSE, MANKARA P.O., PALAKKAD.

44. VASUDEVAN,
RETD. HEAD CONSTABLE, HIGH COURT (P) 3688,
DISTRICT ARMED RESERVE PALAKKAD, RESIDING AT
SARAKKUPA HOUSE, P.O. MANNENGODE, VIA. PULASSERI,
PALAKKAD.

45. P. VISWANATHAN,
RETD. RESERVE SUB INSPECTOR, PC 2512,ARMED RESERVE
PALAKKAD,RESIDING AT SREYAS X/258,CHUDUVALATHUR PO
SHORNUR, PALAKKAD.

BY

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 19/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & A.K.BASHEER, JJ.

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